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REMARKS

Claims 16-21 and 39-46 are pending in the application. All of the withdrawn claims have now been canceled and claims 47-63 have been added, leaving claims 16-21 and 39-63 pending in the application.

Claims 17-20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 17 and 18 have been corrected to fix the typographical errors and thus, Applicant respectfully requests that this rejection be withdrawn.

In addition, Applicant has made changes to claim 16 to clarify the claim. For instance, because the claim is directed to a door system, the element directed to the elevator car has been moved into the preamble of the claim. Also, "disposed on" has been changed to "disposed at" to clarify that the sheave is located at the front face of the elevator car, but not necessarily on the front face (since the sheave may be mounted to the header – see claim 47). Also, "attached to" was changed to "in operable communication with" to clarify that the door did not need to be directly attached to the belt.

Claims 16, 39, 43, and 45 stand rejected under 35 U.S.C. § 102(e) as being anticipated by O'Donnell (US 5,878,846). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, "[t]he identical invention must be shown in as complete detail as is contained in the * * * claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). O'Donnell does not disclose all of the elements in the claims.

Claims 16, 39, 43, and 45 include the following element: "at least one drive motor integrated onto one of the sheaves and disposed forwardly of the front face of the elevator car such that the drive motor is drivingly coupled to the belt for moving the elevator door between the open and closed positions." As shown in Figure 8 in O'Donnell, the motor is located behind the header 26 and the specific teaching at column 4, lines 59-65 state that the motor is located in space B (behind the header and the front face of the elevator car) so as to reduce the space A, which is the space forwardly of the front face of the elevator car. Accordingly, for at least the reasons set forth herein, Applicant respectfully requests that the rejection be withdrawn.

Claims 16-20 and 39-46 stand rejected under 35 U.S.C. § 103(a) as being

unpatentable over Tracey (U.S. 5,701,973) in view of Aulanko et al. (U.S. 5,665,944).

For applications filed on or after November 29, 1999 or applications in which a Continued Prosecution Application ("CPA") has been filed after November 29, 1999, this rejection may be overcome by showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. Sec 35 U.S.C. 103 (c), MPEP 706.02(1)(1) and 706.02(1)(2). In this application a CPA was filed on September 17, 2001 and thus, 35 U.S.C. 103(c) applies to this application.

As noted in the clear and conspicuous statement below, Application serial number 09/220,462 and U.S. Patent 5,701,973 were, at the time the invention of Application serial number 09/220,462 was made, subject to an obligation of assignment to Otis Elevator Company. Therefore, Tracey (U.S. Patent 5,701,973) is now disqualified as prior art and must not be used in a 35 U.S.C. 103(a) obviousness rejection. Accordingly, the various rejections of claims 16-20 and 39-46 under 35 U.S.C. § 103(a) should be withdrawn.

Statement Concerning Common Ownership

Application serial number 09/220,462 and U.S. Patent 5,701,973 were, at the time the invention of Application serial number 09/220,462 was made, subject to an obligation of assignment to Otis Elevator Company.

Claims 16, 21, 39, 40, 41, and 43-46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshikawa (JP402081888) in view of Aulanko (U.S. 5,665,944). For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). In this case, neither Yoshikawa nor Aulanko teach or suggest all of the elements of the claims.

Claims 16, 21, 39, 40, 41, and 43-46 include the following element: "at least one drive motor integrated onto one of the sheaves and disposed frontwardly of the front face of the elevator car such that the drive motor is drivingly coupled to the belt for moving the elevator door between the open and closed positions." As shown in Figure 2 in

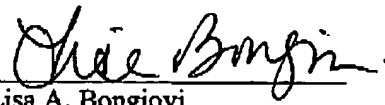
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Yoshikawa, the motor is located behind the front face of the elevator car. In addition, there is no teaching or suggestion in Aulanko of disposing the drive motor frontwardly of the front face of the elevator car. Accordingly, for at least the reasons set forth herein, Applicant respectfully requests that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

Respectfully submitted,

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